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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.R.P. 550/1998**

CHANDER PAL SINGH

..... Petitioner

Through: Ms. Kamalakshi Singh and Ms.
Saundarya Singh, Advts.

versus

SWARAN DHOBAL & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.01.2024

**CM APPL. 5222/2024 (For restoration); CM APPL. 5223/2024
(For Delay of 87 days in filing CM APPL. 5222/2024 and CM
APPL. (To be numbered) for delay of 04 days in re-filing the CM
APPL. 5222/2024**

1. This application has been moved on behalf of the petitioner seeking restoration of the present civil revision petition which was dismissed in-default for non-appearance of the applicant/petitioner on 22.09.2023. It is submitted by learned counsel for the petitioner that the present matter had been adjourned sine-die with directions to respondent No.2 to get the impugned Will probated as per law, *vide* order dated 10.05.2012. Thereafter, the matter came up on the Regular Board on 17.12.2019, but on that day too, the revision petition was ordered to be adjourned sine-die by this Court.

2. It is submitted that the petitioner/revisionist was not aware when the matter came up on the Board for hearing, and therefore, no appearance could be put on 22.09.2023.



3. The application i.e. CM APPL. 5223/2024 is for seeking condonation of delay of 87 days in filing the CM APPL. 5222/2024 for restoration. It is further submitted by learned counsel for the petitioner that there is a delay of 04 days in re-filing the present CM APPL. 5222/2024, which is sought to be condoned.

4. Let notice of the present application for condonation of delay as well as the application for restoration be issued to LRs/caretakers of the deceased respondent No.2.

5. Re-notify on 22.05.2024.

DHARMESH SHARMA, J.

JANUARY 30, 2024

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